

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

D'AGOSTINO LANDSCAPING INC., : **07 Civ. 3860 (WCC)**

ECF CASE

Plaintiff, :
- against - :
ORDER

JOSEPH GROSINGER, :
Defendant. :
X

CONNER, Sr. D.J.:

WHEREAS, this action was belatedly removed to this Court from the Justice Court, Town of Ramapo of Rockland County on the stated basis of federal jurisdiction of a counterclaim asserted in defendant's Answer and Counterclaim; and

WHEREAS, the counsel of record for the parties attended an initial pretrial conference on May 30, 2007 before this Court and said counsel consented to the remand of this action; it is hereby

ORDERED that this action is remanded to the Justice Court, Town of Ramapo of Rockland County, where it was originally brought, on the ground of lack of federal jurisdiction.

SO ORDERED.

Dated: White Plains, New York
May 30, 2007

William C. Conner

WILLIAM C. CONNER, Senior U.S.D.J.

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